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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION**
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11 IN RE: YAHOO! CUSTOMER DATA
12 SECURITY BREACH LITIGATION

CASE NO.: 16-MD-02752-LHK

13 **[PROPOSED] ORDER GRANTING**
14 **DEFENDANTS YAHOO! INC. AND**
15 **AABACO SMALL BUSINESS, LLC'S (1)**
16 **MOTION TO DISMISS AND (2) REQUEST**
17 **FOR JUDICIAL NOTICE**

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Date: August 24, 2017
Time: 1:30 p.m.
Courtroom: 8, 4th Floor
Judge: Hon. Lucy H. Koh

1 This matter came before the Court by motion of Defendants Yahoo! Inc. and Aabaco Small
2 Business, LLC (together, "Defendants"), pursuant to Federal Rules of Civil Procedure 12(b)(1) and
3 12(b)(6), to dismiss Plaintiffs' Consolidated Class Action Complaint for lack of standing and failure
4 to state a claim upon which relief can be granted. Defendants also requested that the Court take
5 judicial notice of certain documents pursuant to Federal Rules of Evidence 201.

6 The Court, having considered the papers filed in support of and in opposition to Defendants'
7 motion to dismiss and request for judicial notice, the pleadings and record on file, oral argument of
8 counsel, and good cause, hereby GRANTS Defendants' motion to dismiss and GRANTS
9 Defendants' request for judicial notice.

10 IT IS SO ORDERED.

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13 DATED: _____

Lucy H. Koh
United States District Judge